

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants- Allegations of corruptions against Sri Gorige Mahesh, S/o Late Narsimulu, Senior Assistant, Office of the Selection Grade Secretary, Agricultural Market Committee, Hyderabad- Sanction of Prosecution under the prevention of Corruption Act, 1988 – accorded – Orders – Issued.

AGRICULTURAL AND COOPERATION (VIGILANCE) DEPARTMENT

G.O.MS.No. 104

Dated: 13/11/2015

ORDER:

Whereas that Sri Gorige Mahesh, S/o late Narsimulu, worked as Senior Assistant, office of the Selection Grade Secretary, Agricultural Market Committee, Hyderabad and by virtue of the post held by him, he falls under the category of Public Servant within the meaning of clause (c) of Section 2 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988).

2. Whereas, Sri M. Rambabu, S/o Late M. Dasharath, Contractor, R/o Flat No. 504, Royal Residency, # 2-3-758/1, Tulasi Nagar, Amberpet, Hyderabad, came to the office of the Dy. Superintendent of Police, Anti-Corruption Bureau, City Range-2, Hyderabad and submitted a Telugu hand written complaint stating that he got registered a firm in the name and style of M/s Anjali Enterprises in the name of his wife Smt Prameela and him self for doing small contract works in the name of above firm. Presently, he is doing a sweeping, lifting and transportation of garbage at Gudimalkapur vegetable market on the monthly contract basis @ Rs. 4,500/- per day since 6 months on the name of said firm. On 26.11.2014, a tender notification was given in the newspaper by the Selection Grade Secretary Smt. M. Kalpana, Agricultural Market Committee, Hyderabad for sweeping, lifting and transportation of garbage at Gudimalkapur Vegetable Market on contract basis for one year. As per the conditions, on 29.11.2014, he held submitted tender form in the name of his firm. On the same day evening, the tenders were opened by Smt. M. Kalpana. Four contractors were filed their tenders for this work. Smt. M. Kalpana informed to the complainant that he is the 2nd lowest bidder among lowest quotations/tenders. She further told that she will scrutinize all tender forms within a week and inform to the eligible contractor to allot the same contract work. After on 05.12.2014, Sri Gorige Mahesh, Senior Assistant called Sri M. Rambabu and informed him to meet Smt. M. Kalpana on the next day i.e. on 06.12.2014. Accordingly, on 06.12.2014 afternoon, he met Smt. M. Kalpana. She informed him that after scrutinizing the tenders, due to some reasons the 1st lowest quoted contractor became a defaulter. Therefore, as a second lowest quoted bidder, he will get the said contract work for one year. Further, she demanded him to give the bribe amount of Rs. 1,00,000/- to process the said contract work order through her. Unwillingly, he agreed to pay the said bribe amount to her. Later on 15.12.2014, he met Smt. M. Kalpana in the presence of Sri Gorige Mahesh, Senior Assistant and expressed his inability to pay demanded bribe amount of Rs. 1,00,000/- at a time to her. For that, she instructed him to pay Rs. 50,000/- as a first installment for processing his work order file and pay the remaining bribe of Rs. 50,000/- after getting the work order. She instructed him in presence of Senior Assistant Sri Mahesh to pay the said bribe amount of Rs. 50,000/- to her or to her subordinate Senior Assistant Sri Mahesh at her office. She further told him that the work will be processed only after paying the above demanded bribe amount.

3. Whereas Sri M. Rambabu was not willing to pay the demanded bribe amount of Rs. 50,000/- to Smt. Kalpana, Selection Grade Secretary, Agricultural Market Committee, Hyderabad, lodged a complaint to the DSP, ACB, City Range-II, Hyderabad for taking necessary action against Smt. Kalpana, Selection Grade Secretary and G. Mahesh, Sr. Asst. After due verification, the DSP, ACB, City Range-2, Hyderabad registered the complaint as a case vide Cr. No. 24/ACB-CR-2/2014 U/s 7 of the Prevention of Corruption Act, 1988 on 24.12.2014 at 1400 hrs and investigated into.

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4. Whereas, Smt. Mudh Kalpana, Selection Grade Secretary and Sri G. Mahesh, Sr. Asst., were trapped in the presence of mediators by the Deputy Superintendent of Police Anti-Corruption Bureau, City Range-II, Hyderabad on 24.12.2014 at about 17.20 hours when Smt. Mudh Kalpana demanded and accepted the bribe amount of Rs. 50,000/- through Sri Gorige Mahesh, Senior Assistant from Sri M. Rambabu for processing and forwarding the work order for the year 2014-15 of the complainant in respect of sweeping, lifting and transportation of garbage at Gudimalkapur Vegetable Market, Hyderabad through her. On the instructions of Smt. M. Kalpana, Sri Mahesh, Sr. Asst., was further demanded and accepted the bribe amount of Rs. 50,000/- from the complainant at his account section and caught red-handed by the DSP.

5. Whereas the phenolphthalein test conducted over the both hand fingers of Sri G. Mahesh, Sr. Asst., collected cotton swab from the contact surface of the uppermost rack to the right side front portion of the almirah, where the tainted currency notes came in contact with it, and another cotton swab was taken from the contact surface of handle of almirah, which came in contact when G. Mahesh touched to open the almirah in order to keep the bribe amount inside the iron almirah, yielded positive results. The tainted bribe amount of Rs. 50,000/- was recovered from the right side front portion of the uppermost rack of the iron almirah of Sri G. Mahesh in which he had kept the accepted bribe amount. The bribe amount of Rs. 50,000/- and all resultant bottles were seized by the DSP. The official favour file was seized from the custody of Sri G. Mahesh at the instance of Smt. Kalpana.

6. Whereas, the above said acts of Sri Gorige Mahesh, Sr. Assistant, Office of the Agricultural Market Committee, Hyderabad constitute offences punishable under sections 7 clause (d) of Sub-Section (1) of section 13 read with sub-section (2) of Section 13 of the prevention of Corruption Act, 1988 (Central Act 49 of 1988) r/ w sec 34 IPC.

7. And whereas, the Government of Telangana State, being the Competent Authority to remove the said Sri Gorige Mahesh, Senior Assistant, O/o Agricultural Market Committee, Hyderabad from the Government service after fully and carefully examining the material placed before them (i.e. copy of FIR, Mediators Report I & II and final investigation report) in respect of the said allegation and having regard to the facts and circumstances of the case consider that the said Sri Gorige Mahesh, Senior Assistant, O/o Agricultural Market Committee, Hyderabad should be prosecuted in a competent Court of law for the aforesaid offences.

8. Now, therefore, in exercise of the powers conferred under clause (b) of Sub- Section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Telangana State hereby accord sanction for the prosecution of Gorige Mahesh, Senior Assistant, Office of the Selection Grade Secretary, Agricultural Market Committee, Hyderabad for the offences punishable Under Section 7, clause (d) of sub- section (1) of Section 13 read with sub-section (2) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

(C. PARTHA SARATHI)
APC & SECRETARY TO GOVERNMENT

To
The Director General,
Anti- Corruption Bureau,
Telangana State, Hyderabad.